

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FILED
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U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

RONALD S. COULTER, et al.,

Plaintiffs,

v.

Case No. 96-2391-CIV-T-23E

METROPOLITAN LIFE INSURANCE
COMPANY, INC.,

Defendant.

JOSEPH A. CORRIERE, et al.,

Plaintiffs,

v.

Case No. 96-2392-CIV-T-23E

METROPOLITAN LIFE INSURANCE
COMPANY, INC.,

Defendant.

THOMAS ROSTEK, et al.,

Plaintiffs,

v.

Case No. 96-2393-CIV-T-23E

METROPOLITAN LIFE INSURANCE
COMPANY, INC,

Defendants.

DOUGLAS SMITH, et al.,

Plaintiffs,

v.

Case No. 96-2492-CIV-T-23C

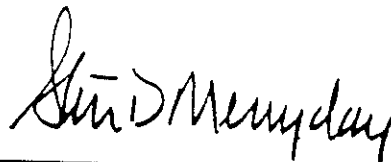
METROPOLITAN LIFE INSURANCE
COMPANY, INC.,

Exhibit 2

ORDER

Before the Court is the Special Master's report and recommendation on the plaintiffs' motion to transfer (Doc. 110). I have evaluated the Special Master's report and the competing positions of the parties in light of the particular factual and legal history of this action, including, without limitation, the forborne "opt-out" opportunity extended to the plaintiffs during Horton, the extraordinarily complete remedy secured by the Horton plaintiffs, the fervent but unsuccessful efforts by the plaintiffs' counsel to obtain fees in Horton, and all other pertinent factors. The Special Master has indicated repeatedly that a complaint on behalf of plaintiffs who are not barred and for claims that are not barred is readily transferable. I agree. This action, thus far, fails to present an opportunity for that result. The plaintiffs' objections to the special Master's recommendations (Doc. 111) are **OVERRULED**. The Special Master's recommendations are **ADOPTED**, and the plaintiffs' transfer motions are **DENIED**.

ORDERED in Tampa, Florida, on July 30th, 1999.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE